

REMARKS

Favorable reconsideration of this application, as presently amended, is respectfully requested.

Claims 1-29 are pending in the present application. Claim 24 has been amended to correct the informality noted on page 2, paragraph 1 of the Office Action. Claims 1-29 were rejected under 35 USC 102(e) as being anticipated by Baum '741.

With reference to the rejection of claims 1-29 under 35 USC 102(e) as being anticipated by Baum '741, the reference to Baum '741 is not believed to anticipate or make obvious the specific features required by the pending claims. As described on page 7 of the specification, the present invention provides for the transmitting and accessing of digital images over a communication network which utilizes a common interface that provides the requested digital image service, whereby at least one digital image is incorporated in an imaging product, processed to produce an edited digital image, and stored, retrieved or transmitted over the communication network. The invention provides for multiple system functional applications that can be performed across a variety of image systems utilizing the common interface.

Claim 1 relates to a method of ordering a digital image service over a communication network. The method of claim 1 comprises the steps of viewing and selecting at least one digital image at a first image system; selecting a digital image service to be ordered and generating an image order request comprised of the at least one digital image and order information which are bundled into a single data file; selecting a second image system, remote from the first image system, for providing the digital image service; transmitting the image order request over the communication network through a common interface from the first image system to the second image system; accessing the at least one digital image and the order information from the image order request at the second image system; and providing the requested digital image service through the common interface.

The reference to Baum relates to a method of distributing cards to a plurality of recipients, wherein at least one card having at least one uploaded image from a recipient image set can be printed. In the system of Baum, images can be uploaded via the internet to a photofinishing service. As shown in, for example, Fig. 3A of Baum, separate elements 320, 330, 340 and 350 contain distinct communication arrangements. As an example, in the system of Baum, information from print lab system 340 can be provided to a distribution system 350 that delivers physical prints to customers. This is different from, for example, the interface between image archive database 330 and the print lab

system 340. The reference to Baum is not believed to show or suggest at least the claimed common interface. More specifically, the reference to Baum is not believed to show or suggest the method of claim 1 wherein a digital image service is ordered, and an image order request comprising at least one image and order information which are bundled into a single data file is generated; in combination with the claimed features of transmitting the image order request over a communication network through a common interface from a first image system to a second image system, and providing the requested digital image service through the common interface.

Accordingly, the reference to Baum is not believed to anticipate or make obvious the specific features required by claim 1.

Claims 2-14 depend either directly or indirectly from claim 1 and set forth further unique features of the present invention which are also not believed to be shown or suggested in the reference to Baum. For example, these claims set forth further features of the step of providing a digital image service as well as the transmission of the images. These claims also set forth features of the method of the present invention wherein a storage size requirement is communicated with the image order request such as in claims 9 and 10. These features are not believed to be shown or suggested in the reference to Baum.

Claim 15 relates to a system for transmitting and accessing an image order request comprising at least one image and order information over a communication network. Claim 15 sets forth the elements for achieving the transfer of images over the communication network. For the reasons noted above with respect to claim 1, the reference to Baum is not believed to show or suggest the features required by claim 15.

Claims 16-25 depend directly or indirectly from claim 15 and set forth further unique features of the present invention which are also not believed to be shown or suggested in the applied reference to Baum. For example, these claims set forth further features of the imaging service, the imaging product and the image capture device. These claims also set forth further features of the software program for transmitting and accessing the image order request over the communication network which are also not believed to be shown or suggested in the reference to Baum.

Claim 26 relates to a method for ordering a digital product which requires a fulfillment system that determines whether a storage size requirement of an order is available on the fulfillment system, and reserving a storage size if the storage space is found to be available. Claim 26 further requires communicating the results of this determination to a client and in response to the communication of the result of this determination, communicating the order along

with an order identifier if the storage space is available. The combination of each of the features as required by claim 26 is not believed to be shown or suggested in the reference to Baum.

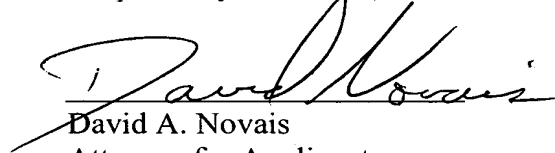
Claims 27-28 depend from claim 26 and set forth further unique features of the present invention which are also not believed to be shown or suggested in the reference to Baum.

Claim 29 relates to a method for ordering a digital product that requires a fulfillment system that verifies information about a user, generates an order identifier, and communicates the order identifier to a client in response to a request. The fulfillment system transmits a list of available products to a client and the client transmits an image order request to the fulfillment system for at least one of the products available from the list of available products. This combination of features as required by claim 29 is not believed to be shown or suggested in the reference to Baum.

Accordingly, the reference to Baum is not believed to anticipate or make obvious the specific features required by claims 1-29.

In view of the foregoing comments, it is submitted that the inventions defined by each of claims 1-29 are patentable, and a favorable reconsideration of this application is therefore requested.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "David A. Novais", is written over a horizontal line.

David A. Novais
Attorney for Applicants
Registration No. 33,324

DAN/ld
Rochester, NY 14650
Telephone: (585) 588-2727
Facsimile: (585) 477-1148